

## **SUMMARY SHEET – RIGHTS OF WAY APPLICATIONS**

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# **Rights of Way Applications**

## **October 15, 2007**

### **APPLICANTS AND RIGHTS OF WAY INFORMATION**

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Applicant:	Yellowstone Community Partners, LLC 6355 Ward Road, Suite 301 Arvada CO 80004
Application No.:	14396
R/W Purpose:	a buried municipal 12" water main and 8" sewer main
Lessee Agreement:	N/A (Navigable River)
Acreage:	0.332
Compensation:	\$996.00
Legal Description:	40-foot strip across the Yellowstone River in SE4, Sec. 7, Twp. 2S, Rge. 10E, Park County
Trust Beneficiary:	Common Schools (Navigable River)
Classification:	III



The City of Livingston has annexed into the city limits a new subdivision called the Yellowstone Preserve. Because the Yellowstone River divides the city, the only route available is across the navigable river. The two utilities will be installed via directional bore method so as to minimize disturbance to the river bed and will not alter the stream channel, stream flow, water quality or fish and aquatic habitat. The Department recommends approval of this request.

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# **Rights of Way Applications**

## **October 15, 2007**

### APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant:	Jeff Mikeson P O Box 135 Stanford MT 59479
Application No.:	14408
R/W Purpose:	a private access road to a single-family residence and associated outbuilding and for activities consistent with normal farming and ranching activities
Lessee Agreement:	N/A (Historic)
Acreage:	0.74
Compensation:	\$222.00
Legal Description:	20-foot strip through NW4SW4, Sec. 12, Twp. 17N, Rge. 11E, Judith Basin County
Trust Beneficiary:	Common Schools
Classification:	III



Application is made pursuant to §77-1-130, Historic Rights of Way.

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## **Rights of Way Applications October 15, 2007**

### APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant:	McCone Electric Cooperative, Inc. P O Box 368 Circle MT 59215
Application No.:	14409
R/W Purpose:	an overhead electric distribution line
Lessee Agreement:	ok
Acreage:	0.047
Compensation:	\$100.00
Legal Description:	1-foot strip across the SW4SW4, Sec. 36, Twp. 27N, Rge. 47E, McCone County
Trust Beneficiary:	Common Schools
Classification:	III



This application is to extend service from an existing historic easement to private property to the South of the State Section. This easement request is in conjunction with the easement application for a private access road described below, although this powerline is in a different alignment than the access road due to future placement of a residence. Although this line is a new installation, the applicant requested a 1-foot width so as to be consistent with the width granted under the historic easement. Under this case the Department would stipulate in the easement that the company maintain a Land Use License for future maintenance of the line. This stipulation is present in all historic easements that have a width less than 10 feet so as to ensure that equipment necessary to perform installation and repairs are within the proper corridor. The Department recommends approval of this request.

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# **Rights of Way Applications**

## **October 15, 2007**

### APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant:	James Holt P O Box 1288 Wolf Point MT 59201
Application No.:	14410
R/W Purpose:	a private access road to one single family residence and associated outbuildings and for activities consistent with normal farming and ranching activities
Lessee Agreement:	ok
Acreage:	1.79
Compensation:	\$2,762.49
Legal Description:	60-foot strip through S2SE4, Sec. 36, Twp. 27N, Rge. 47E, McCone County
Trust Beneficiary:	Common Schools
Classification:	III



Applicant owns property to the South of this State section and would be utilizing an existing road to access his private lands. Located approximately 4 miles South of Wolf Point across the Missouri River, this access road is a spur road from an existing county road. While the spur road has provided historic access to applicant's property in the past, applicant will be building a new home and, therefore, does not qualify for historic access under §77-1-130, MCA. This application has been processed under the Board's Access Road Policy as a result. Applicant requested the 60-foot width in order to keep options open regarding his property ownership. This general area is seeing some minor ranchette development in the range of 40-120 acre parcels. Applicant is accessing 640 acres with this road and currently plans on operating a dog breeding and kennel operation. Reciprocal opportunity does not exist as the State section has legal access via a legally cited county road. The Department recommends approval.

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# **Rights of Way Applications**

## **October 15, 2007**

### APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant:	Justin Fillinger 747 Eden Road Great Falls MT 59405
Application No.:	14411
R/W Purpose:	a private access road to a single family residence, including associated outbuildings and for activities consistent with normal farming and ranching operations and timber management
Lessee Agreement:	N/A (Historic)
Acreage:	5.2 total (3.5 in Sec. 16 and 1.7 in Sec. 36.)
Compensation:	\$1,470.00
Legal Description:	14-foot strips through SW4NE4, N2NE4, SE4NW4, N2SW4, SE4SW4, Sec. 16, Twp. 16N, Rge. 4E and, SW4NE4, NE4SW4, SW4SW4, Sec. 36, Twp. 17N, Rge. 4E, Cascade County
Trust Beneficiary:	Common Schools
Classification:	III



Application is made pursuant to §77-1-130, Historic Rights of Way.

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## **Rights of Way Applications**

### **October 15, 2007**

#### **APPLICANTS AND RIGHTS OF WAY INFORMATION**

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Applicant:	NorthWestern Energy 40 East Broadway Butte MT 59701
Application No.:	14412
R/W Purpose:	an overhead electric distribution line
Lessee Agreement:	ok
Acreage:	0.57
Compensation:	\$399.00
Legal Description:	25-foot strip through NW4SE4, Sec. 18, Twp. 32N, Rge. 16E, Hill County
Trust Beneficiary:	Common Schools
Classification:	III



Applicant is required to bring an existing pipeline in the section up to DOT standards. In order to do so, they need to install a cathodic anode bed and monitoring well, requiring electrical service. The distribution line will come off an existing line in the section and require placement of three additional power poles to the well site. The well site will be fenced for safety reasons. Although this tract of state land is immediately South of the City of Havre, there is little to no ability to develop the property for other uses. A reservoir encompasses 80 acres on the tract and the remainder has a variety of utility and gas pipeline easements issued on it. In addition, a ditch and gravel pit are present. Adjacent land uses are grazing purposes with larger parcels of 100 to 480 acres held by private ownership and the City of Havre. The Department recommends approval of this easement request.

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# **Rights of Way Applications**

## **October 15, 2007**

### APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant:	Montana Department of Transportation P O Box 201001 Helena MT 59620-1001
Application No.:	14413
R/W Purpose:	Highway construction and maintenance, including occupancy by public utilities as defined in §69-4-101, MCA
Lessee Agreement:	needed
Acreage:	2.57
Compensation:	\$1,285.00
Legal Description:	Tract of land in S2SE4, Sec. 24, Twp. 33N, Rge. 15E, Hill County
Trust Beneficiary:	Common Schools
Classification:	III



Application is made for additional highway easement to reconstruct a curve on Secondary Highway 232 for safety reasons. The location of the curve reconstruction is approximately 5 miles North of Havre and leads to the Port of Wild Horse. The Department recommends approval of this request.

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